

This matter comes before the Court on the defendants’ motion to dismiss (Doc. 9), which has attached a stipulation of dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) of defendants National Rural Electric Cooperative Association, Insurance & Financial Services - National Rural Electric Cooperative Association, Cooperative Benefits Administrators, Inc. and State Street Bank and Trust Company. The stipulation is signed by all parties who have appeared in this case. Rule 41(a)(1)(A)(ii) allows dismissal of all claims against a defendant without a court order by filing such a stipulation. Therefore, the Court finds that all claims in this case against defendants National Rural Electric Cooperative Association, Insurance & Financial Services - National Rural Electric Cooperative Association, Cooperative Benefits Administrators, Inc. and State Street Bank and Trust Company are **DISMISSED with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case. Those defendants are terminated from this action. The motion to dismiss (Doc. 9) is

rendered **MOOT** by the stipulation of dismissal.

In addition, the Court **DIRECTS** the Clerk of Court to correct in the record the name of defendant National Rural Electric Cooperative Association Long Term Disability Plan to reflect its actual name, National Rural Electric Cooperative Association Group Benefits Program. The Court further **ORDERS** that defendant National Rural Electric Cooperative Association Group Benefits Program shall have up to and including September 23, 2009, to answer or otherwise respond to the complaint.

**IT IS SO ORDERED.**

**DATED: September 1, 2009**

s/ J. Phil Gilbert

**J. PHIL GILBERT**  
**DISTRICT JUDGE**